IN THE HIGH COURT OF UTTARAKHADN
AT NAINITAL

Writ Petition No. 1094 (SS) of 2007

Govind Singh
Presently posted as Assistant Teacher,
Junior High School,
Nainikedareshwar (Berinag),
District- Pithoragarh. ……..…**Petitioner.**

Versus

1. State of Uttarakhand through Director of Education, Uttarakhand, Dehradun.
2. District Education Officer, District –Pithoragarh.
3. Additional District Education Officer (Basic), District-Pithoragarh.

…Respondents

Hon'ble M.M. Ghildiyal, J

Heard Sri Lalit Samant, learned counsel for the petitioner and Sri N.P. Shah, learned standing counsel for State of Uttarakhand on behalf of respondents.

By means of this writ petition, petitioner has prayed for the following relief:

a. Issue a writ, order or direction in the nature of Certiorari for quashing the order dated 12.06.2007 (Annexure No. 1) passed by respondent no. 2.

b. Issue a writ, order or direction in the nature of Mandamus commanding the respondents not to interfere in the peaceful functioning of the petitioner as Assistant Teacher, Junior High School, Nainikedareshwar (Berinag).

c. *Issue a suitable writ, order or direction, which this Hon'ble Court may deem fit and proper in the facts and circumstances of the case.*

d. *Award the cost of the petition in favour of the petitioner.*

The stand of the petitioner is that petitioner was appointed as Assistant Teacher in Primary School, Dakhim Munsyari, District - Pithoragarh on 01.06.1993 and since his date of appointment till date petitioner has already served 13 years in durgam and ati durgam areas and by the impugned order, petitioner has again been transferred to Durgam area on the ground of inconsistent subject.

Aggrieved with the impugned transfer order, petitioner has already made representation dated 04.08.2007 before Additional District Education Officer (Basic), Pithoragarh raising all his grievances (annexure no. 6 to the writ petition).

During the course of argument, learned counsel for the petitioner has submitted that Additional District Education Officer (Basic), Pithoragarh may be directed to decide the aforesaid representation of the petitioner within a particular period.

The prayer is innocuous. Accordingly, I direct the Additional District Education Officer (Basic), Pithoragarh to take decision on the representation of the petitioner within a period of two weeks from the date of production of certified copy of this order.

With this direction, writ petition as well as stay application is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

August 17, 2007
SKS